IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI WESTERN DIVISION

TYSON FISHER,)
Plaintiff,)
vs.) Case No. 16-01157-CV-W-HFS
DNA DIAGNOSTICS CENTER, INC., d/b/a GTLDNA GENETIC TESTING LABORATORIES,	
Defendant.)

ORDER

Pending before the Court is plaintiff's pro se motion to extend the stay in this case. (Doc. 57). This case has been the subject of two stays – one based on child support proceedings in Kansas and another based on the withdrawal of plaintiff's attorney due to a conflict of interest. (Docs. 30, 55) The most recent stay expired on March 11, 2020, and the purpose of that stay was to allow plaintiff additional time to secure new counsel. (Doc.56).

Plaintiff now requests to extend the stay until June 20, 2020, asserting that he has had a difficult time interviewing and hiring counsel during the COVID-19 pandemic. Defendant objects to the stay, arguing that plaintiff has had 110 days to secure new counsel and any further delays are prejudicial.

It is true that this case has been pending for some time. However, neither stay can be attributed to any delay caused by plaintiff. Indeed, defendant requested the first stay which was in place over one year while the child support order was appealed in Kansas. Plaintiff has recounted his efforts to hire new counsel during the COVID-19 pandemic and there is no undue prejudice to defendant allowing plaintiff an additional amount of time to secure counsel.

For good cause shown, plaintiff's motion is GRANTED and this case is STAYED, up to and including, June 19, 2020. ¹

/s/ Howard F. Sach
Howard F. Sachs
United States District Judge

May 6, 2020 Kansas City, Missouri

¹ Plaintiff asks that the stay be extended until June 20, 2020. The stay he seeks to extend, however, was lifted on March 7, 2020, so a new stay must be ordered. In addition, June 20 is a Saturday, so the Court will set the stay to expire on Friday, June 19, 2020.